

25-8008 UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

DCO-082

No. 25-8008

In re: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION
In re: CLOBETASOL CASES (DIRECT PURCHASER)

WOCKHARDT USA LLC; MORTON GROVE PHARMACEUTICALS, INC.;
ACTAVIS HOLDCO U.S. INC.,
Petitioners

(E.D. Pa. Nos. 2:16-md-02724 and 2:16-CB-27241)

No. 25-8009

In re: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION
In re: CLOBETASOL CASES (END-PAYER)

WOCKHARDT USA LLC; MORTON GROVE PHARMACEUTICALS, INC.;
ACTAVIS HOLDCO U.S. INC.; ACTAVIS PHARMA, INC., TARO
PHARMACEUTICALS U.S.A., INC.,
Petitioners

(E.D. Pa. Nos. 2:16-md-02724 and 2:16-CB-27242)

No. 25-8010

In re: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION
In re: CLOMIPRAMINE CASES (DIRECT PURCHASER)

MYLAN INC.; MYLAN PHARMACEUTICALS, INC.,
Petitioners

(E.D. Pa. Nos. 2:16-md-02724 and 2:16-CM-27241)

No. 25-8011

In re: GENERIC PHARMACEUTICALS PRICING ANTITRUST LITIGATION
In re: CLOMIPRAMINE CASES (END-PAYER)

MYLAN INC.; MYLAN PHARMACEUTICALS, INC.; TARO PHARMACEUTICALS
U.S.A. INC.,
Petitioners

(E.D. Pa. Nos. 2:16-md-02724 and 2:16-CM-27242)

Present: PHIPPS, CHUNG, and SMITH, Circuit Judges

1. Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by Petitioners Actavis Holdco US Inc, Morton Grove Pharmaceuticals Inc and Wockhardt USA LLC in No. 25-8008;
2. Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by Petitioners Actavis Holdco US Inc, Actavis Pharma Inc, Morton Grove Pharmaceuticals Inc, Taro Pharmaceuticals USA Inc and Wockhardt USA LLC in No. 25-8009;
3. Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by Petitioners Mylan Inc and Mylan Pharmaceuticals Inc. in No. 25-8010;
4. Petition for Leave to Appeal pursuant to Fed. R. Civ. P. 23(f) filed by Petitioners Mylan Inc, Mylan Pharmaceuticals Inc and Taro Pharmaceuticals USA Inc. in No. 25-8011;
5. Motion filed by Petitioners Actavis Holdco US Inc., et al. to Seal Appendix Volumes 3 and 5 in No. 25-8008;
6. Unopposed Motion filed by Respondents in 25-8008 & 25-8010 to seal (1) Direct Purchaser Plaintiffs' Consolidated Opposition to Defendants' Rule 23(f) Petitions Challenging Class Certification; and (2) Direct Purchaser Plaintiffs' Confidential Supplemental Appendix Volume 2;
7. SEALED Response filed by Respondents in 25-8008 & 25-8010 to Petitions for Leave to Appeal;
8. Response filed by Respondents in 25-8008 & 25-8010 to Petitions for Leave to Appeal;

9. Motion filed by Petitioners Actavis Holdco US Inc., et al. to Seal Appendix Volumes 3-4 and 6 in No. 25-8009;
10. SEALED Response filed by Respondents in 25-8009 & 25-8011 to Petitions for Leave to Appeal;
11. Response filed by Respondents in 25-8009 & 25-8011 to Petitions for Leave to Appeal;
12. Motion filed by Respondents in 25-8009 & 25-8011 to seal Sealed Answer of Plaintiffs-Respondents in Opposition to Petition for Permission to Appeal and Sealed Supplemental Appendix Vol. I, II & III;
13. Motion filed by Petitioners Mylan Inc and Mylan Pharmaceuticals Inc to Seal Appendix Volume 3 in No. 25-8010;
14. Motion filed by Petitioners Mylan Inc, Mylan Pharmaceuticals Inc and Taro Pharmaceuticals USA Inc to Seal Appendix Volumes 3, 4 and 5 in No. 25-8011;
15. Motion by Petitioners Actavis Holdco U.S. Inc., et al. for leave to file Reply in support of petition, with proposed reply attached in No. 25-8009;
16. Motion by Petitioners Mylan Inc., et al. for Leave to File Reply in Support of Petition, with proposed reply attached in No. 25-8011;
17. Response by Respondents in 25-8009 & 25-8011 in Opposition to Motion for Leave to File a Reply;
18. Reply by Petitioners Actavis Holdco US Inc and Actavis Pharma Inc to Response to Motion to file a reply in No. 25-8009;
19. Reply by Petitioners Mylan Inc, Mylan Pharmaceuticals Inc., and Taro Pharmaceuticals USA to Response to Motion to file a reply in No. 25-8011;
20. Motion filed by Petitioner Actavis Holdco US Inc for leave to file a Reply to Petition for Permission to Appeal, with proposed reply attached in No. 25-8008;

21. Motion filed by Petitioners Mylan Inc and Mylan Pharmaceuticals Inc. for leave to file a Reply in Support of Petition to Appeal, with proposed reply attached in No. 25-8010;
22. Response filed by Respondents Cesar Castillo Inc, FWK Holdings LLC, KPH Healthcare Services Inc and Rochester Drug Cooperative Inc in 25-8008 & 25-8010 to motions for Leave to file a Reply;
23. Reply by Petitioner Actavis Holdco US Inc to Response to Motion to file a reply in 25-8008;
24. Reply by Petitioners Mylan Inc and Mylan Pharmaceuticals Inc to Response to Motion to file a reply in 25-8010.

Respectfully,
Clerk/amr

ORDER

The foregoing are considered. The petitions for leave to appeal pursuant to Fed. R. Civ. P. 23(f) are GRANTED. The motions to seal are also GRANTED.

By the Court,

s/ Cindy K. Chung
Circuit Judge

Dated: June 17, 2025
Amr/cc: All counsel of record



A True Copy:

Patricia A Dodszeit

Patricia S. Dodszeit, Clerk